

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

<b>DONALD JAMES GALBREATH</b>	)	
	)	
Petitioner,	)	
	)	
v.	)	<b>Case No. CIV 12-381-RAW-KEW</b>
	)	
<b>ROBERT PATTON, DOC Director,</b>	)	
	)	
Respondent.	)	


**OPINION AND ORDER**  
**DENYING CERTIFICATE OF APPEALABILITY**

On September 29, 2015, the court affirmed and adopted the Magistrate Judge’s Report and Recommendation and dismissed petitioner’s petition for a writ of habeas corpus. After a careful review of the record, the court concludes petitioner has failed to make a “substantial showing of the denial of a constitutional right,” as required by 28 U.S.C. § 2253(c)(2). The court further finds petitioner has not shown “at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right and that jurists of reason would find it debatable whether [this] court was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

**ACCORDINGLY**, petitioner is denied a certificate of appealability. *See* Rule 11(a) of the Rules Governing Section 2254 Cases.

**IT IS SO ORDERED** this 7th day of October 2015.

**Dated this 7<sup>th</sup> day of October, 2015.**

  
Ronald A. White  
United States District Judge  
Eastern District of Oklahoma